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June 4, 2024

Via ECF

United States District Judge Dale E. Ho
U.S. District Court, Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: *Stephen S. Tu v. GEICO Insurance Company*
Docket No. 24-cv-00763-(DEH)**

Honorable Judge Ho:

This law firm represents Plaintiff Stephen S. Tu. We write to request an adjournment of the initial conference currently scheduled for June 11, 2024, or else permitting Plaintiff to proceed with default proceedings. This is the third request for adjournment and the first request to address default as an alternative.

Two previous requests for adjournment have been made (the first because Plaintiff had to correct filing errors before serving the Defendant, the second because Defendant still had not appeared). This Court granted both requests.

The reason for this third request is that Defendant GEICO has still not appeared. On April 15, 2024, Plaintiff served the Summons & Complaint in this matter (with Notice of Lawsuit, Request to Waive Service of Summons, and Waiver of Service of Summons) on Defendant GEICO via Certified mail/ Return receipt and first-class mail. ECF. No. 17. Defendant GEICO should therefore have answered on or before May 7, 2024. They did not.

This Court's order granting the second adjournment of this conference (ECF No. 15) was served on Defendant GEICO via certified mail on May 9, 2024. ECF No. 16.

As Defendant has not appeared, we have not been able to seek its consent to this request.

Respectfully submitted,



Ran Mukherjee

Application **GRANTED**.

The initial pretrial conference scheduled for June 11, 2024 is **ADJOURNED to July 2, 2024, at 12:00 p.m. ET**. By **June 25, 2024**, the parties are required to file a joint status letter and proposed case management plan. See ECF No. 3. In the alternative, Plaintiff shall file a status letter describing the efforts to contact Defendant and describe communications with Defendant, if any. Plaintiff may file a motion for default judgment if Defendant does not appear. The parties should dial in by calling (646) 453-4442 and entering the Phone Conference ID: 509 288 706, followed by the pound (#) sign.

It is further ORDERED that Plaintiffs serve Defendants via certified mail with a copy of this Order and file proof of such service on the docket by **June 11, 2024**.

The Clerk of Court is respectfully requested to close ECF No. 18.

SO ORDERED.



Dale E. Ho
United States District Judge
Dated: June 5, 2024
New York, New York